

**THE STATE OF TEXAS §  
CITY OF BROWNSVILLE §  
COUNTY OF CAMERON §**

Anthony P. Troiani, At-large Commissioner "A"  
Ricardo Longoria, Jr., District Commissioner 1  
Carlos A. Cisneros, District Commissioner 3

Leonel T. Garza, At-large Commissioner "B"  
Charlie Atkinson, District Commissioner 2  
Edward C. Camarillo, District Commissioner 4

Pat M. Ahumada, Jr., Mayor

**NOTICE OF PUBLIC MEETING OF THE  
CITY COMMISSION OF THE CITY OF BROWNSVILLE**

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the City Commission of the City of Brownsville, Texas, in accordance with Article V, Section 12, of the Charter of said City, will convene **an Executive Session and Special Meeting**, on **Tuesday, December 11, 2007**, at **5:05 P.M.** and **6:00 P.M.** in the Commission Chambers, on the Second Floor of the Brownsville City Hall – Federal Building, located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, 78520.

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**EXECUTIVE SESSION: 5:05 P.M.**

- A) Discussion pursuant to Section 551.071, of the Texas Government Code, regarding contemplated litigation challenging the legality of constructing a Border Wall. (Jim Goza – City Attorney – 15 min.)
- B) Discussion pursuant to Section 551.072, of the Texas Government Code, regarding real property. (Larry A. Brown – Aviation – 15 min.)
- C) Discussion pursuant to Section 551.087, of the Texas Government Code, regarding economic developments. (Peter L. Goodman – Heritage – 15 min.)

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**\*\*\*10 MINUTE BREAK\*\*\***

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**SPECIAL MEETING: 6:00 P.M.**

**PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE \* TEXAS PLEDGE**

**INVOCATION:**

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1. **PROCLAMATIONS:** *Pan American Round Table I*  
(Commissioner Ricardo Longoria, Jr.)

*Team Olimpico*  
*Soccer Championship*  
(Commissioner Charlie Atkinson)

2. **PUBLIC COMMENT PERIOD:** PLEASE NOTE:

- THE “PUBLIC COMMENT FORM” IS DESIGNATED FOR SPEAKERS TO ADDRESS THE COMMISSION ON A SUBJECT THAT IS NOT A PUBLIC HEARING.
- **ADDRESS THE COMMISSION AS A WHOLE – DO NOT DIRECT YOUR COMMENTS TO ANY INDIVIDUAL MEMBER OF THE COMMISSION.**
- **THE PUBLIC COMMENT PERIOD IS A TOTAL OF 15 MINUTES. (City Ordinance 2007-1090-D)**
- THERE IS A **THREE (3)-MINUTE TIME LIMIT** PER SPEAKER.
- NO **FORMAL** ACTION CAN BE TAKEN.
- FOR THE RECORD, THE SPEAKER **MUST IDENTIFY BY NAME** BEFORE SPEAKING.
- “PUBLIC COMMENT FORMS” ARE LOCATED ON THE SECOND FLOOR AT THE ENTRANCE OF THE COMMISSION CHAMBERS (on the day of the meeting).
- “PUBLIC COMMENT FORMS” MUST BE FILLED OUT AND PRESENTED TO THE CITY SECRETARY/STAFF **NO LATER THAN 6:00 P.M.** TO BE CONSIDERED/RECOGNIZED.
- “PUBLIC COMMENT FORMS” ARE NOT ACCEPTED AFTER 6:00 P.M.
- **POWERPOINT PRESENTATIONS ARE NOT CONDUCTED DURING THE PUBLIC COMMENT PERIOD.** [For further information, contact The Office of the City Secretary at 548-6001]
- **PERSONS/GROUPS SCHEDULED TO CONDUCT A PRESENTATION OR DISTRIBUTING HANDOUTS ASSOCIATED WITH A PRESENTATION TO THE COMMISSION MUST PROVIDE A COPY OF SAME TO THE CITY SECRETARY FOR THE RECORD.**

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3. **CONSENT AGENDA ITEMS:**

All consent Agenda Items listed are considered to be routine by the City Commission and will be approved by one motion. There will be no separate discussion of these items unless a City Commissioner so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

*ITEMS No. “a” through “k”*

- a) Authorization for the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Norma H. Zamora	BUS	San Antonio, TX	Dec. 12 – 13, 2007
Rebeca Castillo	BUS	Austin, TX	Jan. 23 – 24, 2008
Jose Sosa	BUS	Austin, TX	Jan. 23 – 24, 2008
Pete Gonzalez	Finance	Fort Lauderdale, FL	June 14 – 18, 2008
Corine Parris	Parks	Austin, TX	Jan. 30 – Feb. 01, 2008
Juan C. Guerrero	Parks	Austin, TX	Jan. 30 – Feb. 01, 2008
Lucy Garza	Planning	Fort Worth, TX	Jan. 8 – 10, 2008
Mirian Medina	Planning	Fort Worth, TX	Jan. 8 – 10, 2008
David De Leon	Police	Galveston, TX	Jan. 17 – 20, 2008

- b) APPROVAL on SECOND and FINAL READING of Ordinance Number 2007-1482 to opt out from exempting ad valorem taxation of goods-in-transit. (Pete Gonzalez – Finance)**
- c) APPROVAL on SECOND and FINAL READING of Ordinance Number 2007-1429-A, amending Ordinance Number 2004-1429, by attaching design guidelines to the FM 511 and I-69 Overlay District. (Ben Medina, Jr. – Planning)**
- d) APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2007-607-CU allowing a Conditional Use Permit to sell on-premise alcohol (bar) on Lot 4 Block 1 of Omni Pavilion Subdivision located at 1900 N. Expressway, Suite G-2, near Expressway 77/83 and N. Frontage Road. (Ben Medina, Jr. – Planning)**
- e) APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2007-048 to rezone, from General Retail “H” (4CH) to Light Commercial “G” (5CG) Classification, Lot 1 thru 5 of Block 36 of East Brownsville Addition located near Southmost Road and East 22<sup>nd</sup> Street. (Ben Medina, Jr. – Planning)**
- f) APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2007-049 to rezone, from Dwelling “G” (DG) to Light Retail “G” (2CG) Classification, 4.00 acres out of Lot 19 Block 18 of Barreda Garden Subdivision located at 6570 Military Highway (U.S. 281). (Ben Medina, Jr. – Planning)**

- g) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-050** to rezone, from Dwelling “G” (DG) to Professional Office “G” (1CG) Classification, Lot 1 of N. S. Liddel Subdivision located at 3004 East Avenue and near Calle Milpa Verde. (Ben Medina, Jr. – Planning)
- h) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-050-S** to allow a Medium Retail Specific Use on Lot 1 of N. S. Liddel Subdivision located at 3004 East Avenue and near Calle Milpa Verde. (Ben Medina, Jr. – Planning)
- i) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-052** to rezone, from Light Retail “Z” (2CZ) to Medium Retail “Z” (3CZ) Classification, 4.00 acres out of Share 12 Volume 3812 Page 23 CCORV located at 420 FM 511 and near FM 803. (Ben Medina, Jr. – Planning)
- j) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-054** to rezone, from Medium Industrial “G” (8CG) to Light Industrial “G” (7CG) Classification, 4.00 acres out of Lot 1 of San Antonio Coors Subdivision located at 5955 E. 14<sup>th</sup> and near Central Avenue. (Ben Medina, Jr. – Planning)
- k) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-055** to rezone, from Dwelling “A” (DA) to Light Commercial “G” (5CG) Classification, Lot 1 Block 15 of East Brownsville Addition located near Highway 77/83 and International Boulevard. (Ben Medina, Jr. – Planning)

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***BOARDS AND COMMISSION APPOINTMENTS:***

- 4. Consideration and **ACTION** to appoint member(s) to the Brownsville Housing Authority (BHA). (Mayor Pat M. Ahumada)
- 5. Consideration and **ACTION** on the possibility of removing a Parks and Recreation Advisory Committee Member and appointing a replacement. (Commissioner Charlie Atkinson)

6. Consideration and **ACTION** to appoint one (1) member to the Capital Improvement Advisory Committee (CIAC). (Ben Medina, Jr. – Planning)
7. Consideration and **ACTION** to appoint or reappoint one (1) member to the Greater Brownsville Incentives Corporation (GBIC). (Ben Medina, Jr. – Planning)

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***PUBLIC HEARINGS:***

8. Public Hearing and **ACTION** to reconsider Class “L” Permit Number CL-2007-003 to allow a game arcade at 855 W. Elizabeth Street, Brownsville, Texas. (Ben Medina, Jr. – Planning) [DISCUSSED 12/04/2007]
9. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2007-1100.45** to amend the City Subdivision Ordinance by authorizing the Planning and Zoning Department to process and expedite minor plat approval. (Ben Medina, Jr. – Planning)
10. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-056** to rezone, from Dwelling “Z” (DZ) to Apartments “F” Classification, 3.00 acres out of Lot 1 Block 10 of El Jardin Resubdivision located at 656 N. Minnesota Avenue and Houston Road. (Ben Medina, Jr. – Planning)
11. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-057** to rezone, from Dwelling “Z” (DZ) to General Retail “G” (4CG) Classification, Lot 1 and 2 Block 107 of Olmito Original Townsite located at 7950 Old Highway 77 and near Hargill. (Ben Medina, Jr. – Planning)
12. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-058-S** to allow a General Retail Specific Use (funeral home) in a Medium Retail on Lot 1 Block 2 of Tandy’s Corner Subdivision located at 3120 State Highway 100 and near California Road. (Ben Medina, Jr. – Planning)
13. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-059** to rezone, from Light Commercial “G” to Light Industrial “G” Classification, 107 acres out of Espiritu Santo Share 22 located near FM 511 and Old Alice Road. (Ben Medina, Jr. – Planning)

14. Public Hearing and **ACTION** to acknowledge the Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report (CAPER). (Ben Medina, Jr. – Planning)

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***ACTION ITEMS:***

15. Consideration and **ACTION** on **Resolution Number 2007-072** designating Gladys Porter Zoo Officials to submit a grant application with the Texas Parks and Wildlife Department Outdoor Recreation Grants Program. (John Chosy – Assistant City Attorney)
16. Consideration and **ACTION** on **Resolution Number 2007-073** to authorize a moratorium on the issuance of building permits to be used for the construction of businesses designated to operate “eight-liners” and/or similar types of gaming devices. (Jim Goza – City Attorney)
17. Consideration and **ACTION** to authorize the City Manager and City Attorney to negotiate a fee agreement with the City of McAllen, and all other interested parties, to retain Attorney Jim Blackburn and Associates to provide legal assistance in the opposition of the construction of a Border Wall. (Jim Goza – City Attorney)
18. Consideration and **ACTION** on **Resolution Number 2007-074** to authorize the purchase of certain real property described as Lots 4 and 5 Block 305 of El Jardin Resubdivision, and designating signatories for the City of Brownsville. (Larry A. Brown – Aviation)
19. Consideration and **ACTION** to acknowledge the finance director’s financial statements and cash investment report for the City of Brownsville for the Fiscal Year ended September 30, 2007. (Pete Gonzalez – Finance)

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***PURCHASES/BIDS/CONTRACTS:***

20. Consideration and **ACTION** to authorize Change Order Number 2 for the Taxiway G Reconstruction Taxiway D Lighting Rehabilitation Project at the Brownsville South Padre Island International Airport. (Larry A. Brown – Aviation)
21. Consideration and **ACTION** regarding an agreement for consulting services with Business Associates International, LLC. (Peter L. Goodman – Heritage)

22. Consideration and **ACTION** to authorize payment of \$15,143.43 for renewal of the International Business Machines (IBM) Corporation Maintenance Service Contract which supports the Police Department's A-S 400 System Equipment for Fiscal Year 2007-2008. (Carlos L. Garcia – Police)
23. Consideration and **ACTION** to award a contract for operation management services for the Recycling Center of the City of Brownsville. (Roberto C. Luna – Purchasing) [TABLED 11/13/2007]
24. Consideration and **ACTION** to award a term contract for professional engineering and surveying services on a rotation list for the City of Brownsville. (Roberto C. Luna – Purchasing)
25. Consideration and **ACTION** to award a term contract for geotechnical and material testing services on a rotation list for the City of Brownsville. (Roberto C. Luna – Purchasing)
26. Consideration and **ACTION** to award a contract for the purchase, delivery and installation of twenty (20) complete computer work stations and reserve kits for the Brownsville Fire Department. (Roberto C. Luna – Purchasing)
27. Consideration and **ACTION** to award a term contract for the purchase and delivery of veterinarian clinic equipment and supplies for the Brownsville Animal Regulation and Care Facility. (Roberto C. Luna – Purchasing)

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**ADJOURNMENT:**

**NOTE:** The City Commission of the City of Brownsville reserves the right to discuss any items in Executive Session whenever authorized under the Texas Open Meetings Act, Chapter 551, Title 5 of the Texas Government Code.

**NOTE:** The City of Brownsville does not discriminate on the basis of disability in the admission of, access to, treatment of, or employment in its programs, activities, or public meetings. Any individual with a disability in need of an accommodation is encouraged to contact the ADA Coordinator at 956/548-6037 (voice or Relay TX) by Monday, no later than 5:00 P.M., to make proper arrangements.

By: **Pat M. Ahumada, Jr.**  
**Mayor of the City of Brownsville**

I certify that a copy of the December 11, 2007, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on December 07, 2007. I further certify that the Agenda was posted on the City's website and can be downloaded by accessing: [www.cob.us/agendas.asp](http://www.cob.us/agendas.asp).

  
**Estela Von Hatten, City Secretary**